# \*\*DRONES NEGATIVE – HS NOVICE\*\*

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### Summary

#### The Drone Surveillance Negative case attacks the problems highlighted by the Affirmative case, and the way in which the Affirmative case proposed to solve that problem.

#### In the first section, there is evidence arguing that the affirmative plan is unnecessary – for example, you may argue that requiring warrants for drone use is unnecessary because government agencies will use drones responsibly on their own, or because surveillance only impacts people who are committing crimes. You might also argue that local agencies (like the Dallas Police Department) will use drones even if the federal government chooses not to use them – or that warrants simply won’t be effective at limiting drone use because of government secrecy.

#### In the second section, there is evidence arguing that the affirmative plan is a bad idea – in this case, you can argue that drones create a perfect picture of what happens in the world, allowing us to monitor government and police action and make sure they’re on their best behavior. You can also argue that drones are important tools to prevent crime and terrorism.

#### Remember – this file gives you evidence for your speech. You shouldn’t just read every piece of evidence in this file in your debates – you should spend time in your speech comparing your evidence to the other teams and spinning a story about why the plan is a bad idea (using this evidence to back up your claims). Good luck!

### Local agencies will still use drones

#### [ ] Drones are so affordable that state and local law enforcement agencies will continue to use them even if federal agencies can’t.

Preston, reporter for Bloomberg News, 2012

[Darrell, “Drones Take to American Skies on Police, Search Missions” Bloomberg News, May 20th 2012| <http://www.bloomberg.com/news/articles/2012-05-31/drones-take-to-american-skies-on-police-search-missions>]

For about the cost of a squad car, a deputy sheriff in Mesa County, Colorado, can track criminal suspects, picture an arson scene or search for lost hikers, all with the ease of tossing a toy glider into the air. The sprawling county on the Utah line uses two remote-controlled drone aircraft, similar to those deployed against Afghanistan’s Taliban, to cover 3,300 square miles (8,600 square kilometers) of mountainous terrain. Remotely operated technology honed in the war on terror is letting Mesa County and state and local governments across the U.S. work faster and cheaper. “We save a significant amount of time,” said Ben Miller, 34, who oversees the Mesa County Sheriff’s Office’s two drones from Grand Junction. “It provides a huge resource savings.” About 20 state and local governments and 24 universities around the nation are authorized to fly remotely piloted drones, according to the Federal Aviation Administration. Those figures are expected to rise in coming years as the agency develops rules and standards to safely integrate them into airspace shared with planes, according to industry and FAA officials.

### Government agencies won’t abuse drones

#### [ ] Drones won’t be used to violate everyone’s privacy – government agencies are careful to avoid abuse.

Bloomberg News, 2013

(“FBI Uses Drones in Domestic Surveillance, Mueller Says," Bloomberg, June 19, Online: <https://www.bloomberg.com/news/articles/2013-06-19/fbi-uses-drones-in-domestic-sureillance-mueller-says>)

The Federal Aviation Administration estimates there may be about 10,000 active commercial drones in five years. Bills have been introduced in at least 18 states to limit or regulate such aircraft, according to the National Conference of State Legislatures. The FBI only uses unmanned aerial vehicles when there’s a specific operational need to conduct surveillance on stationary objects, said a U.S. law enforcement official briefed on their use. The bureau must first get FAA approval, said the official, who asked not to be identified discussing internal procedures. Drone Use The FBI used a drone at a hostage standoff in Alabama earlier this year, when Jimmy Lee Dykes, 65, took a five-year-old boy hostage and barricaded himself in an underground bunker. After almost a week, the FBI’s Hostage Rescue Team breached the bunker, killing Dykes and rescuing the child. Leahy, a Vermont Democrat, said during a March hearing on drones that he was ‘‘convinced that the domestic use of drones to conduct surveillance and collect other information will have a broad and significant impact on the everyday lives of millions of Americans going forward.” Senator Rand Paul, a Kentucky Republican, held the Senate floor for almost 13 hours in March over concerns that the U.S. could use armed drones to attack Americans on U.S. soil. Paul, who filibustered the nomination of eventual Central Intelligence Agency Director John Brennan, was told in a letter from Attorney General Eric Holder that the president didn’t have that authority. FBI Guidelines Mueller said the FBI is in “the initial stages” of formulating privacy guidelines related to its drone use. “There are a number of issues related to drones that will need to be debated in the future,” Mueller said. “It’s still in its nascent stages, this debate.” Senator Mark Udall, a Colorado Democrat who has introduced a bill in Congress designed to set regulations and privacy protections for private use of unmanned aerial systems, said he was concerned that the FBI was using drone technology before finalizing privacy guidelines. “Unmanned aerial systems have the potential to more efficiently and effectively perform law enforcement duties, but the American people expect the FBI and other government agencies to first and foremost protect their constitutional rights,” Udall said today in a statement. Border Security Homeland Security Secretary Janet Napolitano said in a June 15 Bloomberg Television interview that the operation of unmanned aircraft makes “our forces on the ground more effective” and that privacy concerns are regularly weighed and addressed by an office embedded within the department. “We are constantly making sure that we are abiding by restrictions and doing what we need to do from a border security perspective without invading American’s rights,” Napolitano said in the interview for the program, “Political Capital with Al Hunt.”

### Surveillance only impacts criminals

#### [ ] Surveillance is only bad if you’re doing something bad – it won’t hurt innocent people.

**Huffington Post, 2011**

(Google CEO On Privacy (VIDEO): 'If You Have Something You Don't Want Anyone To Know, Maybe You Shouldn't Be Doing It'; May 25; www.huffingtonpost.com/2009/12/07/google-ceo-on-privacyif\_n\_383105.html; kdf)

Yahoo, Verizon, Sprint, and others have recently come under fire for sharing customer data with the authorities, and admitting to "spying" abilities that would "shock" and "confuse" customers. A CNBC interview with Google CEO Eric Schmidt suggests the search giant Google shouldn't get off easy, and users should be wary of what Google knows about them -- and with whom they can share that information. CNBC's Mario Bartiromo asked CEO Schmidt in her December 3, 2009 interview: "People are treating Google like their most trusted friend. Should they?" Schmidt's reply hints that if there's scandalous information out there about you, it's your problem, not Google's. Schmidt tells Baritoromo: **If you have something that you don't want anyone to know, maybe you shouldn't be doing it in the first place.** He expands on his answer, adding that the **your information could be made available not only to curious searchers or prying friends, but also to the authorities, and that there's little recourse for people worried about unintentionally "oversharing" online**: But if you really need that kind of privacy, the reality is that search engines, including Google, do retain this information for some time. And [...] we're all subject, in the US, to the Patriot Act, and it is possible that that information could be made available to the authorities. Leaked documents revealing Yahoo's guide for law enforcement officials, which explains how they can obtain consumer data, highlights the type of information internet companies may have about their users -- and can share with the authorities. Silicon Alley Insider notes, For example, Yahoo's document helpfully alerts law enforcement that if they'd like to read a user's instant messanger logs, they better ask within 45 days and come bearing a 2703(d) order. That is, unless there's "imminent danger of death or serious physical injury." If that's the case, there's another letter to fax entirely See a video clip of Schmidt's below.

### Drones won’t violate privacy

#### [ ] There’s no expectation of privacy in society today and there are other threats to privacy besides drones.

Reid, Professor of Law at Lincoln Memorial University, 2014

(Melanie, “GROUNDING DRONES: BIG BROTHER'S TOOL BOX NEEDS REGULATION NOT ELIMINATION,” *Journal of Law and Technology*, 20:3, Online: <http://jolt.richmond.edu/index.php/grounding-drones-big-brothers-tool-box-needs-regulation-not-elimination/>)

The use of drones by law enforcement does not trigger Fourth Amendment protections. Drone surveillance does not constitute a trespass nor does it violate one’s reasonable expectation of privacy. As a society, we have begun to accept a diminished expectation of privacy. The real question becomes one of reasonableness and whether the use of drones is deemed a reasonable, acceptable law enforcement investigatory tool without requiring a warrant. [89] Most reasonable people, if asked, would deem it acceptable to allow the Environmental Protection Agency (EPA) to place cameras in areas where companies are known to dump toxic chemicals in order to catch the violators. Most reasonable people, if asked, would likely deem it acceptable and prudent for the EPA to place mobile cameras along sections of a polluted river to monitor for illegal dumping. Is it then logical to assume it acceptable and prudent for the EPA to utilize drones equipped with cameras to monitor the river for illegal dumping? [90] Drones equipped with a type of mobile camera are used by the Forest Service to monitor for forest fires.[256] Should drone film footage be admissible as evidence at a criminal trial if the drone captures an arsonist starting a forest fire? Ditto when a drone captures images of a suspected marijuana field? [91] Society appears to be comfortable with cameras in public areas. After the Boston Marathon bombing in April 2013, law enforcement obtained photographs from store surveillance cameras in order to identify the Boston bomber.[257] Rather than public outrage at the excessive use of surveillance cameras for law enforcement purposes, the public demanded that more be done by law enforcement. There was strong public interest in catching the bombing suspects. In cities such as Washington D.C. and New York City, cameras are everywhere.[258] Google Earth and satellite technology have become commonplace. Drones equipped with cameras are simply the latest in surveillance technology. The public is not as concerned about government surveillance in public areas as it once was.

### Drones don’t justify violence against citizens

#### [ ] Drones don’t distance law enforcement agents from the people they surveil – studies show operators actually care more about the people they watch.

Brooks, Professor at the Georgetown University Law Center, 2013

(Rosa, “Drones and Cognitive Dissonance,” Forethcoming in Drones Remote Targeting and the Promise of Law edited by Peter Bergen & Daniel Rothenberg | <http://scholarship.law.georgetown.edu/cgi/viewcontent.cgi?article=2266&context=facpub>)

Regardless, there’s little evidence that drone technologies “reduce” their operators’ awareness of human suffering. If anything, drone operators may have a far greater sense of the harm they help inflict than any sniper or bomber pilot, precisely because the technology enables such clear and longterm visual monitoring. Journalist Daniel Klaidman reports the words of one CIA drone operator, a former Air Force pilot, “I used to fly my own air missions . . . I dropped bombs, hit my target load, but had no idea who I hit.” CITE With drones, it was a different story: I can look at their faces . . . see these guys playing with their kids and wives . . . After the strike, I see the bodies being carried out of the house. I see the women weeping and in positions of mourning. That’s not PlayStation; that’s real.14 Increasingly, there is evidence that drone pilots, just like combat troops, can suffer from post-traumatic stress disorder. They watch a man play with his children and live his life, sometimes for extended periods of time. And then they drop ordinance on the man and see his mangled body. Surely this takes a psychological toll. A recent Air Force study found that 29 percent of drone pilots suffered from “burnout,” with 17 percent “clinically distressed.”15

### Warrants won’t stop government abuse of drones

#### [ ] The government can never be held accountable by something like warrants – many government agencies operate in secrecy after 9/11.

Hall and Coyne, 2013

(Abigail - Graduate Fellow in the department of economics at George Mason University and Chirstopher - Professor of Economics at George Mason University, “The Militarization of U.S. Domestic Policing, The Independent Review, 17:4, Spring, Online: https://www.independent.org/pdf/tir/tir\_17\_04\_01\_hall.pdf)

Our analysis has several implications. First, it provides evidence that undercuts the idea that the paradox of government can be permanently resolved by constitutional rules intended to check the government’s power. Government agencies’ inherent tendency is to expand beyond their designers’ initial aims and goals. Special-interest groups exacerbate this problem by seeking to expand their power and influence. The onset of crises—whether real or manufactured—begins a long, far-reaching process that erodes the already imperfect constraints on the government’s power. The question is ultimately one of speed. That is, following the onset of a major crisis, how quickly will this erosion take place? Second, the convergence of the U.S. government’s military and domestic police functions will likely continue. Higgs (1987) emphasizes that at the end of crises, government shrinks, but not back to its previous size. What happens, however, if there is a perpetual crisis with no clear enemy and no clear end? In general, the growth of government will continue. Our analysis indicates more narrowly that the militarization of domestic policing will continue into the future as the U.S. government continues its unremitting “wars” on drugs and terrorism. These crises have created a set of conditions in which the blurring of police and military activities is self-enforcing and self-extending. Third, no clear mechanism exists for reestablishing a separation of the U.S. government’s domestic police and military functions. Although political economy highlights the process through which the militarization of domestic policing emerges, it also makes clear why policies aimed at reversing this situation are unlikely to be adopted. Even if one assumes that citizens generally agree that the separation of police and military functions must be reestablished (a huge assumption in itself ), working against the present policies implies tearing apart the massive drug–terror complex, an institution that benefits from a permanent state of war domestically and internationally. This complex includes an array of government departments and agencies,¶ contractors, unions, and consultants whose very existence is predicated on the continuation of a culture of fear and crises. Resolution of the accelerating militarization is by no means simple or even clear. In order to overturn the chimera of a sustainable “protective state,” citizens must become skeptical of the possibility of establishing permanent constraints on government power. This skepticism ultimately requires recognition and appreciation of the realities of government power and a rejection of government action as a solution to the perceived crises.

### Drones create government accountability

#### [ ] More drones mean that everyone is surveilled – that prevents racial profiling and forces law enforcement officials to be on their best behavior.

**Morrison, professor of law at Georgia State University, 2015**

(Caren Myers, DR. PANOPTICON, OR, HOW I LEARNED TO STOP WORRYING AND LOVE THE DRONE; 27 J. Civ. Rts. & Econ. Dev. 747)

The outrage against Title III did not translate into reform of many police practices that violated the privacy of the politically and economically disadvantaged. But Title III was passed before the ramifications of Terry v. Ohio, which approved stop and frisk practices, n92 were fully felt. It was before the Court decided Michigan v. Chesternut, which held that people on the street have no expectation of privacy against police inquiries, even if those inquiries include chasing someone down the street in a police cruiser, n93 and Whren v. United States, which held that if the police have probable cause for a traffic stop, that stop is lawful even if motivated by other, possibly discriminatory reasons, n94 and Illinois v. Wardlow, which held that flight from the police in a "high crime area" is enough to justify a stop, n95 and all the other cases that allowed "race-dependent decision making to become a normal part of police practice." n96 It could be that we are more aware of the differential impact of police practices today than we were in 1968. The short-lived district court case holding that New York City's stop and frisk practices violated the Fourth Amendment may reflect this. n97 "No one should live in fear of being stopped whenever he leaves his home to go about the activities of daily life," wrote Judge Scheindlin. "Those who are routinely subjected to stops are overwhelmingly people of color, and they are justifiably troubled to be singled out when many of them have done nothing to attract the unwanted attention." n98 **We obviously need a new way of policing the streets, investigating crime, and keeping the public safe**. If we turned to the universal surveillance that drones could technically provide, could the very omniscience of such a system make the entire enterprise more egalitarian? [\*764] There is something else too. **Unlike wiretapping, which focuses only on specific suspects**, drones and their capacity for universal surveillance evoke what one commentator called "the idolatrous dream of omniperception embodied in the panopticon." n99 In simpler terms, **drones contain the promise that somehow, with the right tools, we could achieve perfect knowledge. If there were a record of everything that ever happened, we could know the truth. We could know what really happened between Trayvon Martin and George Zimmerman on that night in February 2012**. n100 **We would be able to solve all the unsolved shootings and disappearances and faulty eyewitness identifications.** n101 **So much of what happens out in the world is a mystery**. People are abducted, raped, shot. Other people are accused of these misdeeds, sometimes convicted and executed for them, sometimes wrongfully. We never really know. **If there is a seductive quality to the seamless surveillance of the future, it is that we wouldn't make these mistakes again.**

### Drones create government accountability

#### [ ] Drones give citizens an important check against government corruption.

**Bernd, reporter, 2013**

(Candice, Coming Domestic Drone Wars; Sep 19; www.truth-out.org/news/item/18951-the-coming-domestic-drone-wars#)

Private Citizens and Domestic Drone Technology But in addition to major corporations, **media activists** also **are beginning to look at the possibilities of domestic drones to broadcast live streaming coverage of protests and other actions in such a way that could provide greater transparency of police activity during political clashes**, such as those that occurred in 2011 during the height of the Occupy Wall Street movement. Occupy live-streamer Tim Pool, now a producer with Vice Media, has been experimenting with a small radio-controlled quadcopter drone called the Parrot AR Drone, which can be controlled from a tablet or smartphone. Pool hopes to lower the cost of media production for the individual by using drone technology to gather audio and visual content from the air. "These things make it a lot easier for the average person to pick up the control and say, 'OK, I can do this,' whereas with something like the more expensive drones that have proprietary controllers, you have to learn how to fly those. The AR. Drone is an iPhone app. It looks like a video game," Pool told Truthout. But he admits that in moments when events are breaking it becomes harder to fly a drone. "It's difficult with all the ruckus, the police, with people running. There's no way to predict what's going to happen. It's hard to take your focus away." Pool was on the ground in Turkey during the Occupy Gezi Park demonstrations, which protested an urban development plan to replace the park with a shopping mall. During the demonstrations, Pool witnessed the police forces there shoot down a DJI Phantom drone used by an accompanying journalist, whom he said was detained by police for hours afterward. He expects the same thing could happen in the

US. **"Governments will be a bit behind in adopting drones for surveillance or quad-roters like this.** I think we'll see the private sector first. **We'll see private individuals filming major breaking news with their drones, hobbyists and eventually I know a lot of news organizations are researching drone potential.** Once that gets legal they'll start flying drones all over the place, and eventually the police will start filming with drones as well," Pool said. And he's right - scores of law enforcement agencies are experimenting with domestic drone technology already.

### Drones are key to public safety

#### [ ] Requiring warrants undermines public safety – it prevents law enforcement efforts to protect citizens from crime and terrorism.

McNeal, professor at Pepperdine, 2014   
(Gregory, “Drones and Aerial surveillance: Considerations for Legislators,” November, Online: [www.brookings.edu/research/reports2/2014/11/drones-and-aerial-surveillance](http://www.brookings.edu/research/reports2/2014/11/drones-and-aerial-surveillance))

To counter the threat of surveillance, privacy advocates have focused solely on requiring warrants before the use of drones by law enforcement. Such a mandate oftentimes will result in the grounding of drone technology in circumstances where law enforcement use of drones would be beneficial and largely non-controversial. For example, in light of the Boston Marathon bombing, police may want to fly a drone above a marathon to ensure the safety of the public. Under many bills, police would not be allowed to use a drone unless they had a warrant, premised upon probable cause to believe a crime had been or was about to be committed. This requirement exceeds current Fourth Amendment protections with regard to the reasonableness of observing activities in public places. What this means is that the police would need to put together a warrant application with sufficient facts to prove to a judge that they had probable cause. That application would need to define with particularity the place to be searched or the persons to be surveilled. All of this would be required to observe people gathered in a public place, merely because the observation was taking place from a drone, rather than from an officer on a rooftop or in a helicopter. In a circumstance like a marathon, this probable cause showing will be difficult for the police to satisfy. After all, if the police knew who in the crowd was a potential bomber, they would arrest those individuals. Rather, a marathon is the type of event where the police would want to use a drone to monitor for unknown attackers, and in the unfortunate event of an attack, use the footage to identify the perpetrators. This is precisely the type of circumstance where the use of drone could be helpful, but unfortunately it has been outlawed in many states. To make matters worse, this type of drone surveillance would pose little to no harms to privacy. A marathon is a highly public event, the event is televised, it takes place on streets where there are surveillance cameras and spectators are photographing the event. Moreover, in the states where drones have been banned (unless accompanied by a warrant), the police have not been prohibited from using any other type of surveillance equipment --- just drones. This technology centric approach has done little to protect privacy, but will certainly harm public safety, depriving law enforcement of a tool that they could use to protect people.

### Drones are key to public safety

#### [ ] Drones are key tools for law enforcement agencies to stop crime and terrorism – requiring warrants for their use risks public safety.

Reid, Professor of Law at Lincoln Memorial University, 2014

(Melanie, “GROUNDING DRONES: BIG BROTHER'S TOOL BOX NEEDS REGULATION NOT ELIMINATION,” *Journal of Law and Technology*, 20:3, Online: <http://jolt.richmond.edu/index.php/grounding-drones-big-brothers-tool-box-needs-regulation-not-elimination/>)

If state and federal legislators are successful and remain on a determined course to restrict application of drones, drone use may be severely limited, similar to what took place after the court decision on thermal imaging. After the Kyllo decision in which the Court held that thermal imaging constituted a search under the Fourth Amendment,[260] law enforcement was no longer able to use the technology to assist in building sufficient probable cause for a search warrant. Admittedly, thermal imaging allows law enforcement the ability to collect intelligence within private dwellings, i.e., locations where the owner has a reasonable expectation of privacy. Drone surveillance collects intelligence in public areas where there is no such expectation of privacy. Law enforcement needs a variety of investigatory tools that can be used without a warrant in order to gather enough facts for probable cause to justify search and arrest warrants. If government becomes significantly limited in its ability to collect information in a reasonable and impartial manner, the ability to investigate a complaint and determine if a crime has been committed will be hindered. Drone use is a reasonable, non-intrusive technique and should be one of those investigatory tools available to law enforcement agencies. Public safety requires that law enforcement have the ability to leverage every reasonable investigatory tool at its disposal to uphold the law and bring criminals to justice. Some techniques which are intrusive and infringe on privacy issues need to be closely monitored and regulated. [95] Public concern is understandable—thousands of drones from both the public and private sector will soon be accumulating a significant amount of information once FAA regulations are put in place by 2015. Drone technology is in its infancy stage. Future drones may be lighter, simpler, with longer flight times and have the ability to act/react to given situations based on software programming without human intervention. Previously, laws were passed to regulate new technology after its effects and impact on society were determined. In the case of drones, state and federal legislatures are attempting to get ahead of the curve and pass laws based on what drones can be expected to do in the future. I think we are getting ahead of ourselves. The drones of today are the same as aircraft and helicopters which are currently used to conduct aerial surveillance. There is no need to place greater restrictions on drones than regular aircraft. The unintended victims of such a law would be smaller law enforcement agencies that cannot afford their own aircraft or helicopter. Inexpensive drone technology would allow all law enforcement agencies to operate on a level playing field in the use of aerial surveillance for investigations.

### Terrorism Disadvantage 1NC (1/3)

#### First, terrorist activity has increased dramatically over the past year.

Bolton, 2015 (John R, former US Rep to UN, “NSA activities key to terrorism fight,” Apr 28, Online: [www.aei.org/publication/nsa-activities-key-to-terrorism-fight/](http://www.aei.org/publication/nsa-activities-key-to-terrorism-fight/), *\*edited for ableist language*)

After six years of President Obama, however, trust in government is in short supply. It is more than a little ironic that Obama finds himself defending the NSA (albeit with obvious hesitancy and discomfort), since his approach to foreign and defense issues has consistently reflected near-total indifference, except when he has no alternative to confronting challenges to our security. Yet if harsh international realities can penetrate even Obama’s White House, that alone is evidence of the seriousness of the threats America faces. In fact, just in the year since Congress last considered the NSA programs, the global terrorist threat has dramatically increased. ISIS is carving out an entirely new state from what used to be Syria and Iraq, which no longer exist within the borders created from the former Ottoman Empire after World War I. In already-chaotic Libya, ISIS has grown rapidly, eclipsing al-Qaeda there and across the region as the largest terrorist threat. Boko Haram is expanding beyond Nigeria, declaring its own caliphate, even while pledging allegiance to ISIS. Yemen has descended into chaos, following Libya’s pattern, and Iran has expanded support for the terrorist Houthi coalition. Afghanistan is likely to fall back under Taliban control if, as Obama continually reaffirms, he withdraws all American troops before the end of 2016. This is not the time to ~~cripple~~ undermine our intelligence-gathering capabilities against the rising terrorist threat. Congress should unquestionably reauthorize the NSA programs, but only for three years. That would take us into a new presidency, hopefully one that inspires more confidence, where a calmer, more sensible debate can take place.

### **Terrorism Disadvantage 1NC (2/3)**

#### Second, restrictions on drone use deter industry investment and law enforcement buy-in – undermining technology that is essential to nuclear counterterrorism efforts.

Bennett, writer for LA Times, 2012

(Brian, “Drones tested as tools for police and firefighters,” *LA Times*, August 5, Online: <http://articles.latimes.com/2012/aug/05/nation/la-na-drones-testing-20120805>)

On a chaparral-covered hillside 40 miles north of Los Angeles in June 2010, researchers from the Department of Homeland Security hid a device the size of a pack of cigarettes that emitted a safe pulse of low-grade radiation. It was a stand-in for a dirty bomb, or fallout from a nuclear meltdown. Nearby, a pilot toggled a joystick, and a gray drone with the wingspan of a California condor banked through the sky. As the plane's sensor sniffed for radioactive isotopes, law enforcement officers and firefighters watched a portable controller that looked like an oversized Game Boy. In minutes, a warning signal glowed on the screen. The drone had detected the radiation. "Think of Fukushima or some awful event like that," said Cmdr. Bob Osborne, who hosted the tests as part of his job finding and buying new gadgets for theLos Angeles County Sheriff's Department. "We wanted to know: Will it even be able to detect radiation? And it did." The experiment in Los Angeles County was the first in a rapidly expanding $3.2-million effort by the Department of Homeland Security to accelerate the use of drones by police and fire departments. In October, the federal department is planning to invite drone manufacturers to Ft. Sill, Okla., where their aircraft will be scored on how they perform in a series of scenarios, such as a hostage standoff, an earthquake or a hazardous material spill. A rating system will rank the capabilities of the various models. It's like a Good Housekeeping Seal of Approval for drones. But some legal experts are worried about the effect of surveillance drones in U.S. skies. "This is putting the cart before the horse where DHS and other federal agencies are looking to put money toward drone use without looking at what it means for privacy and civil liberties," said Jennifer Lynch, a lawyer with the Electronic Frontier Foundation in San Francisco. DHS has awarded hundreds of thousands of dollars in grants to at least 13 police departments to buy small surveillance drones. But safety restrictions imposed by the Federal Aviation Administration — and the fact that some models have proved difficult to use — have kept most on the ground. That could change soon. Congress this year passed a law requiring the FAA to ease restrictions on commercial drone use in U.S. airspace by 2015. Next year, the administration is expected to issue a rule allowing law enforcement and first responders to fly small unmanned aerial vehicles. The Ft. Sill center will test drones in "real-world situations where individual lives are in imminent danger," according to a recent presentation given by John Appleby, the DHS program manager for the tests, who also indicated that Homeland Security officials are drafting recommendations on how to protect people's privacy. But some in Congress are concerned. Rep.Edward J. Markey(D-Mass.), co-chairman of the Bipartisan Congressional Privacy Caucus, proposed a bill Monday that would require police to tell the FAA how they would "minimize the collection and retention of data unrelated to the investigation of a crime," among other restrictions. Republican lawmakers have introduced similar legislation. Some lawmakers have also criticized DHS, which has a fleet of 10 Predator B drones for border security, for not addressing safety and privacy concerns earlier. "DHS seems either disinterested or unprepared to step up to the plate to address the proliferation of drones, the potential threats they pose to our national security, and the concerns of our citizens of how drones flying over our cities will be used, including protecting civil liberties of individuals under the Constitution," Rep. Michael McCaul (R-Texas) complained after the department declined to send an official to an oversight hearing he had called about domestic use of drones. For the tests in Los Angeles County, Monrovia-based drone manufacturer AeroVironment was invited to fly three types of drones. The officials tested the Wasp, Raven and Puma — all between 4 and 15 pounds — for their ability to detect nuclear radiation, track a gun tossed by a fleeing suspect, find the source of a building fire and assist searchers in finding a missing person, among other challenges. The first tests were conducted over a three-day period at the Los Angeles County Fire Department's 160-acre Del Valle Regional Training Center in rural Castaic. Another round followed in May 2011 in the San Gabriel Mountains north of Pasadena at a remote police helicopter station at Barley Flats, where the Sheriff's Department sent actors out on the trails to pretend to be lost hikers. The sheriff's office had planned to test drones on a movie set in Downey designed to look like a suburban street, but the FAA wouldn't allow them to fly so close to other commercial air traffic. FAA officials also rejected a plan to fly unmanned planes over the Port of Long Beach to see if they could duck under the morning fog layer to track small boats that might smuggle drugs or attack a ship. Police and firefighters found the smaller drone, the Wasp, was simple to unpack and launch, but winds easily buffeted the aircraft, shaking the camera. The small screens used to monitor the video from all three drones made it difficult to spot hikers in the mountains. Osborne, the commander with the Sheriff's Department, was impressed with the drones, but said, "We're not going to buy anything until the technology is a little bit more mature and the flying regulations are further along."

### Terrorism Disadvantage 1NC (3/3)

#### Lastly, a nuclear terror attack would kill billions, collapse the global economy, and escalate to global war.

Myhrvold 2014

(Nathan, founder of Intellectual Ventures and a former chief technology officer at Microsoft, Strategic Terrorism: A Call to Action; cco.dodlive.mil/files/2014/04/Strategic\_Terrorism\_corrected\_II.pdf)

Technology contains no inherent moral directive—it empowers people, whatever their intent, good or evil. This has always been true: when bronze implements supplanted those made of stone, the ancient world got scythes and awls, but also swords and battle-axes. The novelty of our present situation is that modern technology can provide small groups of people with much greater lethality than ever before. We now have to worry that private parties might gain access to weapons that are as destructive as—or possibly even more destructive than— those held by any nation-state. A handful of people, perhaps even a single individual, could have the ability to kill millions or even billions. Indeed, it is possible, from a technological standpoint, to kill every man, woman, and child on earth. The gravity of the situation is so extreme that getting the concept across without seeming silly or alarmist is challenging. Just thinking about the subject with any degree of seriousness numbs the mind. The goal of this essay is to present the case for making the needed changes before such a catastrophe occurs. The issues described here are too important to ignore. Failing nation-states—like North Korea—which possess nuclear weapons potentially pose a nuclear threat. Each new entrant to the nuclear club increases the possibility this will happen, but this problem is an old one, and one that existing diplomatic and military structures aim to manage. The newer and less understood danger arises from the increasing likelihood that stateless groups, bent on terrorism, will gain access to nuclear weapons, most likely by theft from a nation-state. Should this happen, the danger we now perceive to be coming from rogue states will pale in comparison. The ultimate response to a nuclear attack is a nuclear counterattack. Nation states have an address, and they know that we will retaliate in kind. Stateless groups are much more difficult to find which makes a nuclear counterattack virtually impossible. As a result, they can strike without fear of overwhelming retaliation, and thus they wield much more effective destructive power. Indeed, in many cases the fundamental equation of retaliation has become reversed. Terrorists often hope to provoke reprisal attacks on their own people, swaying popular opinion in their favor. The aftermath of 9/11 is a case in point. While it seems likely that Osama bin Laden and his henchmen hoped for a massive overreaction from the United States, it is unlikely his Taliban hosts anticipated the U.S. would go so far as to invade Afghanistan. Yes, al-Qaeda lost its host state and some personnel. The damage slowed the organization down but did not destroy it. Instead, the stateless al-Qaeda survived and adapted. The United States can claim some success against al-Qaeda in the years since 9/11, but it has hardly delivered a deathblow. Eventually, the world will recognize that stateless groups are more powerful than nation-states because terrorists can wield weapons and mount assaults that no nationstate would dare to attempt. So far, they have limited themselves to dramatic tactical terrorism: events such as 9/11, the butchering of Russian schoolchildren, decapitations broadcast over the internet, and bombings in major cities. Strategic objectives cannot be far behind.

### Answers to: Drones are Ineffective

#### [ ] Requiring warrants for surveillance undermines preventative drone operations which are essential for counterterrorism efforts – it waste law enforcement agencies’ time.

McNeal, professor at Pepperdine, 2014   
(Gregory, “Drones and Aerial surveillance: Considerations for Legislators,” November, Online: [www.brookings.edu/research/reports2/2014/11/drones-and-aerial-surveillance](http://www.brookings.edu/research/reports2/2014/11/drones-and-aerial-surveillance))

To counter the threat of surveillance, privacy advocates have focused solely on requiring warrants before the use of drones by law enforcement. Such a mandate oftentimes will result in the grounding of drone technology in circumstances where law enforcement use of drones would be beneficial and largely non-controversial. For example, in light of the Boston Marathon bombing, police may want to fly a drone above a marathon to ensure the safety of the public. Under many bills, police would not be allowed to use a drone unless they had a warrant, premised upon probable cause to believe a crime had been or was about to be committed. This requirement exceeds current Fourth Amendment protections with regard to the reasonableness of observing activities in public places. What this means is that the police would need to put together a warrant application with sufficient facts to prove to a judge that they had probable cause. That application would need to define with particularity the place to be searched or the persons to be surveilled. All of this would be required to observe people gathered in a public place, merely because the observation was taking place from a drone, rather than from an officer on a rooftop or in a helicopter. In a circumstance like a marathon, this probable cause showing will be difficult for the police to satisfy. After all, if the police knew who in the crowd was a potential bomber, they would arrest those individuals. Rather, a marathon is the type of event where the police would want to use a drone to monitor for unknown attackers, and in the unfortunate event of an attack, use the footage to identify the perpetrators. This is precisely the type of circumstance where the use of drone could be helpful, but unfortunately it has been outlawed in many states. To make matters worse, this type of drone surveillance would pose little to no harms to privacy. A marathon is a highly public event, the event is televised, it takes place on streets where there are surveillance cameras and spectators are photographing the event. Moreover, in the states where drones have been banned (unless accompanied by a warrant), the police have not been prohibited from using any other type of surveillance equipment --- just drones. This technology centric approach has done little to protect privacy, but will certainly harm public safety, depriving law enforcement of a tool that they could use to protect people.

### Answers to: Drones are ineffective

#### [ ] Warrant requirements will undermine effective law enforcement and counterterrorism efforts – drones are an essential part of passive surveillance strategies that maintain public safety.

Reid, Professor of Law at Lincoln Memorial University, 2014

(Melanie, “GROUNDING DRONES: BIG BROTHER'S TOOL BOX NEEDS REGULATION NOT ELIMINATION,” *Journal of Law and Technology*, 20:3, Online: <http://jolt.richmond.edu/index.php/grounding-drones-big-brothers-tool-box-needs-regulation-not-elimination/>, *\*this evidence has been modified for ableist language*)

This proactive stance by state and federal legislatures and their aversion to drone use is a bit troubling, and appears to be a knee-jerk reaction to the idea of a “drone surveillance state.” Legislators have not fully explored which law enforcement investigatory tools trigger Fourth Amendment protections and which ones do not, and have not considered the ramifications of their hastily drafted laws. [50] Law enforcement has a select group of investigatory tools it can use without triggering Fourth Amendment protections. Surveillance of suspects is one of the oldest tools that law enforcement has used to collect information and determine whether criminal activity is occurring. [160] It is one of the first steps of any criminal investigation. The idea that a warrant would be needed to surveil a suspect would effectively ~~cripple~~ [undermine] any investigation before it even got off the ground. [51] Only a certain number of investigatory tools are given Fourth Amendment protection. If all investigatory tools were outside the Fourth Amendment, then it would be virtually impossible for law enforcement to ever gain probable cause to seek a warrant. Therefore, law enforcement requires methods and tools that are permissible under Fourth Amendment protections in order to allow for the collection of sufficient information to use as probable cause for an arrest, search, or warrant for other, more intrusive investigatory tools.

### Answers to: Mass surveillance hurts counter-terrorism efforts

#### [ ] Surveillance is essential to stop terrorism – each program plays an important role, it’s seen in the small number of terrorist attacks over the past decade.

Zenko, 2015

(Micah; CIA Director: We’re Winning the War on Terror, But It Will Never End; Apr 8; blogs.cfr.org/zenko/2015/04/08/cia-director-were-winning-the-war-on-terror-but-it-will-never-end/)

If we were not as engaged against the terrorists, I think we would be facing a horrendous, horrendous environment. Because they would have taken full advantage of the opportunities that they have had across the region… We have worked collectively as a government but also with our international partners very hard to try and root many of them out. Might some of these actions be stimulants to others joining their ranks? Sure, that’s a possibility. I think, though it has taken off of the battlefield a lot more terrorists, than it has put on. This statement is impossible to evaluate or measure because the U.S. government has consistently refused to state publicly which terrorist organizations are deemed combatants, and can therefore be “taken out on the battlefield.” However, relying upon the State Department’s annual Country Reports on Terrorism,the estimated strength of all al-Qaeda-affiliated groups has grown or stayed the same since President Obama came into office. Of course, non-al-Qaeda-affiliated groups have arisen since 9/11, including the self-proclaimed Islamic State, which the Central Intelligence Agency estimated last September to contain up to 31,500 fighters, and Boko Haram, which has perhaps 10,000 committed members. However, the most interesting question posed to Brennan came at the very end from a Harvard freshman who identified himself as Julian: “We’ve been fighting the war on terror since 2001. Is there an end in sight, or should we get used to this new state of existence? Brennan replied: It’s a long war, unfortunately. But it’s been a war that has been in existence for millennia, at the same time—the use of violence for political purposes against noncombatants by either a state actor or a subnational group. Terrorism has taken many forms over the years. What is more challenging now is, again, the technology that is available to terrorists, the great devastation that can be created by even a handful of folks, and also mass communication that just proliferates all of this activity and incitement and encouragement. So you have an environment now that’s very conducive to that type of propaganda and recruitment efforts, as well as the ability to get materials that are going to kill people. And so this is going to be something, I think, that we’re always going to have to be vigilant about. There is evil in the world and some people just want to kill for the sake of killing…This is something that, whether it’s from this group right now or another group, I think the ability to cause damage and violence and kill will be with us for many years to come. We just have to not kill our way out of this because that’s not going to address it. We need to stop those attacks that are in train but we also have to address some of those underlying factors and conditions. I’m not saying that poverty causes somebody to become a terrorist, or a lack of governance, but they certainly do allow these terrorist organizations to grow and they take full advantage of those opportunities. To summarize, the war on terrorism is working, compared to inaction or other policies. But, the American people should expect it to continue for millennia, or as long as lethal technologies and mass communication remain available to evil people.

### Answers to: Mass surveillance hurts counter-terrorism efforts

#### [ ] Surveillance works – it’s stopped over 50 attacks on the United States.

Boot, senior fellow at the Council on Foreign Relations, 2013

(Max “Stay calm and let the NSA carry on” - LA Times – June 9th - http://articles.latimes.com/2013/jun/09/opinion/la-oe-boot-nsa-surveillance-20130609)

After 9/11, there was a widespread expectation of many more terrorist attacks on the United States. So far that hasn't happened. We haven't escaped entirely unscathed (see Boston Marathon, bombing of), but on the whole we have been a lot safer than most security experts, including me, expected. In light of the current controversy over the National Security Agency's monitoring of telephone calls and emails, it is worthwhile to ask: Why is that? It is certainly not due to any change of heart among our enemies. Radical Islamists still want to kill American infidels. But the vast majority of the time, they fail. The Heritage Foundation estimated last year that 50 terrorist attacks on the American homeland had been foiled since 2001. Some, admittedly, failed through sheer incompetence on the part of the would-be terrorists. For instance, Faisal Shahzad, a Pakistani American jihadist, planted a car bomb in Times Square in 2010 that started smoking before exploding, thereby alerting two New Yorkers who in turn called police, who were able to defuse it. But it would be naive to adduce all of our security success to pure serendipity. Surely more attacks would have succeeded absent the ramped-up counter-terrorism efforts undertaken by the U.S. intelligence community, the military and law enforcement. And a large element of the intelligence community's success lies in its use of special intelligence — that is, communications intercepts. The CIA is notoriously deficient in human intelligence — infiltrating spies into terrorist organizations is hard to do, especially when we have so few spooks who speak Urdu, Arabic, Persian and other relevant languages. But the NSA is the best in the world at intercepting communications. That is the most important technical advantage we have in the battle against fanatical foes who will not hesitate to sacrifice their lives to take ours. Which brings us to the current kerfuffle over two NSA monitoring programs that have been exposed by the Guardian and the Washington Post. One program apparently collects metadata on all telephone calls made in the United States. Another program provides access to all the emails, videos and other data found on the servers of major Internet firms such as Google, Apple and Microsoft. At first blush these intelligence-gathering activities raise the specter of Big Brother snooping on ordinary American citizens who might be cheating on their spouses or bad-mouthing the president. In fact, there are considerable safeguards built into both programs to ensure that doesn't happen. The phone-monitoring program does not allow the NSA to listen in on conversations without a court order. All that it can do is to collect information on the time, date and destination of phone calls. It should go without saying that it would be pretty useful to know if someone in the U.S. is calling a number in Pakistan or Yemen that is used by a terrorist organizer. As for the Internet-monitoring program, reportedly known as PRISM, it is apparently limited to "non-U.S. persons" who are abroad and thereby enjoy no constitutional protections. These are hardly rogue operations. Both programs were initiated by President George W. Bush and continued by President Obama with the full knowledge and support of Congress and continuing oversight from the federal judiciary. That's why the leaders of both the House and Senate intelligence committees, Republicans and Democrats alike, have come to the defense of these activities. It's possible that, like all government programs, these could be abused — see, for example, the IRS making life tough on tea partiers. But there is no evidence of abuse so far and plenty of evidence — in the lack of successful terrorist attacks — that these programs have been effective in disrupting terrorist plots. Granted there is something inherently creepy about Uncle Sam scooping up so much information about us. But Google, Facebook, Amazon, Twitter, Citibank and other companies know at least as much about us, because they use very similar data-mining programs to track our online movements. They gather that information in order to sell us products, and no one seems to be overly alarmed. The NSA is gathering that information to keep us safe from terrorist attackers. Yet somehow its actions have become a "scandal," to use a term now loosely being tossed around. The real scandal here is that the Guardian and Washington Post are compromising our national security by telling our enemies about our intelligence-gathering capabilities. Their news stories reveal, for example, that only nine Internet companies share information with the NSA. This is a virtual invitation to terrorists to use other Internet outlets for searches, email, apps and all the rest. No intelligence effort can ever keep us 100% safe, but to stop or scale back the NSA's special intelligence efforts would amount to unilateral disarmament in a war against terrorism that is far from over.

### Terrorist attacks will hurt privacy rights

#### [ ] If we fail to prevent a terrorist attack, governments will enact even more totalitarian policies.

Tuccille, 2015

(J.D., editor of Reason.com, “What's a terrorist attack if not an excuse for domestic spying?,” Jan 14, Online: reason.com/blog/2015/01/14/whats-a-terrorist-attack-if-not-an-excus)

Following on last week's terrorist attacks in France, the British government has dusted off a long-sought "snooper's charter"—better known as the Data Communications Bill—to ease the power of officials to track people's private communications. "It is too soon to say for certain, but it is highly probable that communications data was used in the Paris attacks to locate the suspects and establish the links between the two attacks," Home Secretary Theresa May told Parliament. "Quite simply, if we want the police and the security services to protect the public and save lives, they need this capability. You get that? There's no evidence that the bill would have prevented the Charlie Hebdo attack, but that incident is why you should pass the bill. Prime Minister David Cameron even says that messaging services that can't be intercepted should be banned. Using the latest outrage to inject new life into old security-state legislation isn't a British specialty. When the Patriot Act was introduced in 2001, then-Senator Joseph Biden boasted, "I drafted a terrorism bill after the Oklahoma City bombing. And the bill John Ashcroft sent up was my bill." This is a game in which politicians everywhere can participate. Never mind that, as Reason's Ron Bailey pointed out in November, "there is very little evidence that the Internet is making terrorism easier to do." But pretending otherwise, and passing legislation that empowers security services, lets government officials accumulate power and give the appearance of doing something when the public is frightened. Added Bailey: As [David Benson, a political scientist at the University of Chicago] argues, exaggerating the Internet's usefulness to terrorism has "egregious costs." Some officials, for example, have been calling for a "kill switch" that would allow the government to shut down the Internet in an emergency. Noting how much Americans depend upon the Net for commerce, communication, medical care, and so forth, Benson points out that "It is difficult to imagine a terrorist attack being as costly as turning off the Internet would be." Terrorism also gives officials an excuse to tighten censorship—especially in jurisdictions, including many democratic countries in Europe, where the whole free speech thing has relatively shallow roots. So get ready for the ride. Driven by a need to appear proactive, and a preexisting taste for accumulating power, government officials once again exploit a murderous incident to increase their authority over us. Which escalates the ongoing cold war between people who want to be left alone, and the governments that seek to control them.

### Answers to: Nuclear terrorism won’t happen

#### [ ] There have been dozens of sales and transfers of nuclear materials in the past decades – it’s very likely that terrorists have nuclear weapons.

Schwartz, analyst at the Dept. of Defense, 2015   
(Benjamin, Right of Boom: The Aftermath of Nuclear Terrorism, p. 15)

With respect to "loose nukes," the threat faced today is unprecedented. The good news is that the danger that Allison focused on-fissile material leaking out of the former Soviet republics-has been substantially curtailed, though not eliminated. When Allison served in government he was confronted by a slew of nuclear smuggling cases. Between 1992 and 2002, eleven cases of attempted sales of highly enriched uranium and two cases of attempted plutonium sales occurred. In contrast, between 2002 and 2012 there have been only four cases-all but one of which was linked to a single country, Georgia. This is a good news story, which is probably due in no small measure to the efforts of the United States to provide rapid security upgrades as part of the Nunn-Lugar Cooperative Threat Reduction program.6 Unfortunately, this good news has been accompanied by extremely dangerous developments in Pakistan. The country is in the midst of a massive expansion of its nuclear weapons complex at a time when radicalization is on the rise and its military is under frequent attack from insurgents. Moreover, the size of the nuclear complex is not only expanding but, according to Feroz Khan, a thirty-year veteran of the Pakistani program, the military is also planning to produce miniaturized tactical nuclear weapons, deploy them in a ready-to-launch state, and mate them with new delivery vehicles. From a proliferation perspective this is a frightening prospect, particularly considering that Pakistan has an unparalleled history of proliferation. This is all occurring in a country that hosted Osama bin Laden and the senior leadership of al-Qaeda for over a decade and where the military intelligence service continues to court, coopt, and coordinate with a wide array of terrorists groups.7

### Answers to: Nuclear terrorism won’t happen

#### [ ] Nuclear terrorism is likely – even a small risk is bad enough to justify violations of privacy.

Schwartz, analyst at the Dept. of Defense, 2015  
(Benjamin, Right of Boom: The Aftermath of Nuclear Terrorism, p. 23-25)

Is the scenario above simply the product of an overactive imagination and a penchant for alarmism? This is a reasonable question to ask. And it is worth answering before embarking on an exploration of potential responses to nuclear terrorism. Those who assert that there is a genuine threat of nuclear terrorism should acknowledge at the outset that there are legitimate reasons for skepticism. In fact, those who have paid closest attention to the issue over the years may be most conditioned to be incredulous. They have heard public officials repeatedly issue dire warnings of impending terrorist attacks, watched and seen that no attack materializes, and then have been presented with little or no evidence to support the initial alert. It is also perfectly understandable that reasonable people question the competence and/or trustworthiness of US national security officials, particularly those responsible for nuclear issues. This is especially so in light of the second American-led invasion of Iraq-a war justified to the public largely on the basis of nonexistent nuclear weapons. Moreover, warnings of impending doom didn't originate with then vice president Dick Cheney. "I think we have to live with the expectation," remarked a Los Alamos atomic engineer in 1973, "that once every four or five years a nuclear explosion will take place and kill a lot of people." This statement is cited in John McPhee's The Curve of Binding Energy, which detailed concerns about the proliferation of nuclear weapons to nonstate actors over forty years ago.3 In the context of this history, accusations of Chicken Little-like behavior aren't flippant reactions. While exaggeration may mislead the credulous and offend the perceptive, neither the absence of a precedent for nuclear terrorism nor the intelligence failure regarding Saddam Hussein's WMD program change the growing threat. Many of these conditions aren't new; they have existed since the dawn of the nuclear age, and the world has been very fortunate that the danger has been effectively managed for so long. Other conditions are truly unprecedented. The world crossed from Graham Allison's "Three No's" into three Yeses with a whimper rather than a bang, but we have nevertheless entered an environment of extraordinary risk. Allison's contention that "[t]he detonation of a terrorist nuclear device in an American city is inevitable if the U.S. continues on its present course" is certainly debatable.4 Yet an objective assessment of the current nuclear security situation and its future trajectory leads to an unavoidable conclusion: We are more vulnerable to nuclear terrorism than at any time since the dawn of the nuclear age.

### Answers to: Terrorism threats are inflated

#### [ ] Bias is universal - their experts inflate the risks of government surveillance too.

Bolton, former US Representative to the United Nations, 2015

(John R, “NSA activities key to terrorism fight,” Apr 28, Online: [www.aei.org/publication/nsa-activities-key-to-terrorism-fight/](http://www.aei.org/publication/nsa-activities-key-to-terrorism-fight/))

Congress is poised to decide whether to re-authorize programs run by the National Security Agency that assess patterns of domestic and international telephone calls and emails to uncover linkages with known terrorists. These NSA activities, initiated after al-Qaeda’s deadly 9/11 attacks, have played a vital role in protecting America and our citizens around the world from the still-metastasizing terrorist threat. The NSA programs do not involve listening to or reading conversations, but rather seek to detect communications networks. If patterns are found, and more detailed investigation seems warranted, then NSA or other federal authorities, consistent with the Fourth Amendment’s prohibition against unreasonable searches and seizures, must obtain judicial approval for  more specific investigations. Indeed, even the collection of the so-called metadata is surrounded by procedural protections to prevent spying on U.S. citizens. Nonetheless, critics from the right and left have attacked the NSA for infringing on the legitimate expectations of privacy Americans enjoy under our Constitution. Unfortunately, many of these critics have absolutely no idea what they are talking about; they are engaging in classic McCarthyite tactics, hoping to score political points with a public justifiably worried about the abuses of power characteristic of the Obama administration. Other critics, following Vietnam-era antipathies to America’s intelligence community, have never reconciled themselves to the need for robust clandestine capabilities. Still others yearn for simpler times, embodying Secretary of State Henry Stimson’s famous comment that “gentlemen don’t read each others’ mail.” The ill-informed nature of the debate has facilitated scare-mongering, with one wild accusation about NSA’s activities after another being launched before the mundane reality catches up. And there is an important asymmetry at work here as well. The critics can say whatever their imaginations conjure up, but NSA and its defenders are significantly limited in how they can respond. By definition, the programs’ success rests on the secrecy fundamental to all intelligence activities. Frequently, therefore, explaining what is not happening could well reveal information about NSA’s methods and capabilities that terrorists and others, in turn, could use to stymie future detection efforts.

### Security is more important than privacy

#### [ ] The threat of terrorism is growing - now is the worst time to cancel effective surveillance programs.

Zuckerman, Policy Analyst at the Heritage Foundation, 2013

(Jessica, “60 Terrorist Plots Since 9/11: Continued Lessons in Domestic Counterterrorism,” *Heritage Foundation*, July, Online: <http://www.heritage.org/research/reports/2013/07/60-terrorist-plots-since-911-continued-lessons-in-domestic-counterterrorism>)

In a political environment of sequestration on the one hand and privacy concerns on the other, there are those on both sides of the aisle who argue that counterterrorism spending should be cut and U.S. intelligence agencies reigned in. As the above list indicates however, the long war on terrorism is far from over. Most disturbingly, an increasing number of Islamist-inspired terrorist attacks are originating within America’s borders. The rise of homegrown extremism is the next front in the fight against terrorism and should be taken seriously by the Administration. While there has not been another successful attack on the homeland on the scale of 9/11, the bombings in Boston reminded the country that the threat of terrorism is real and that continued vigilance is critical to keeping America safe. Congress and the Administration must continue to upgrade and improve the counterterrorism capabilities of law enforcement and intelligence agencies as well exercise proper oversight of these capabilities. The American people are resilient, but the lesson of Boston is that the government can and should do more to prevent future terror attacks.